

## REMARKS

The specification is amended to correct some errors that were identified by the applicant. No new subject matter is added. No claims are amended. Reconsideration and allowance of claims 1-12 is requested in light of the following remarks.

### *In the Specification*

The applicant has identified several errors in the specification. The amendments to the specification described above are submitted to address the following errors:

1) The Background of the Invention section improperly refers to the Detailed Description of the Invention. Since only what is conventional is described in the Background of the Invention, the "Detailed Description of the Invention" is changed to "Description of the Related Art."

2) Source/drain regions 58 are illustrated in FIG. 3. They are also described at page 6, line 4, but are not associated with the numerical reference 58. Thus, the written description associated with FIG. 3 is amended to indicate that source/drain regions 58 are formed in the active region on both sides of the gate pattern.

### *Allowable Subject Matter*

Claims 3, 7 and 9-12 are objected to as being dependent upon a rejected base claim, but are otherwise indicated to be allowable if rewritten in independent form to include all the features of the base claim and any intervening claims.

### *Claim Rejections – 35 U.S.C. § 103*

Claims 1, 2, 4-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,899,742 to Sun ("Sun") in view of U.S. Patent No. 6,025,267 to Pey, et al. ("Pey"). The applicant disagrees.

In order to establish *prima facie* obviousness, all features of the claim must be taught by the prior art combination. MPEP 2143.03. In the paragraphs that follow, the applicant will explain how the Sun/Pey combination fails to show a blocking insulation layer, a silicide layer, and a sidewall spacer arranged in the manner specified by claim 1.

Claim 1 recites, *inter alia*, a silicide layer having a boundary that is aligned to edges of the *blocking insulation layer* and the sidewall spacer (emphasis added).

It is admitted that Sun fails to disclose the alignment structure of the silicide layer with respect to the *blocking insulation layer* and the spacers (emphasis added).

Next, it is stated that Pey discloses “the alignment structure of the silicide layer 16b with respect to the *isolation region 2* and spacer 10” (emphasis added). The applicant respectfully reminds the examiner that claim 1 requires that the silicide layer be aligned with an edge of the *blocking insulation layer*, not the isolation region (emphasis added).

Pey’s isolation region 2 cannot be compared to the recited blocking insulation layer. According to claim 1, the blocking insulation layer is formed *on* the isolation layer and on a portion of the active region neighboring the isolation layer (emphasis added). The only layers that Pey FIG. 7 shows as being formed on the isolation layer 2 are the layers 12a and 13, and the edges of these layers are obviously not aligned with the silicide layer 16b.

For further illustration, it is helpful to modify Sun’s FIG. 3H in accordance with the teaching of Pey’s FIG. 7. As was suggested by the Examiner, Pey FIG. 7 teaches that the silicide layer 16b is aligned with spacers 10 and the isolation region 2. Sun FIG. 3H illustrates that the silicide layers 42b, 42c are already aligned with edges of the isolation region 31. If Sun’s silicide layers 42b, 42c are to be aligned with edges of the sidewall spacers 37d, 37c as taught by Pey, they would have to shrink slightly.

On the other hand, in order to align Sun’s silicide layer 42c with an edge of the *blocking insulation layer 44* (as recited in claim 1), the silicide layer 42c would have to be *expanded* well beyond the boundary of the source/drain region 36 (emphasis added). In order to align Sun’s silicide layer 42b with an edge of the blocking insulation layer 44 (as recited in claim 1), the silicide layer 42b would have to *expanded* past the edge of the isolation region 31, and this expansion would violate Pey’s teaching of being aligned with an edge of the isolation region.

Thus, even if Pey was used to modify Sun as is suggested, the resulting combination would still not result in the recited feature of a silicide layer having a boundary that is aligned to edges of the *blocking insulation layer* and the sidewall spacer (emphasis added).

For the above reasons, Pey fails to teach or suggest the feature of a silicide layer having boundaries aligned with edges of the blocking insulation layer. Since neither Sun nor Pey teach this feature, the Sun/Pey combination fails to establish *prima facie* obviousness for claim 1. MPEP 2143.03.

The Sun/Pey combination also fails to establish *prima facie* obviousness for claims 2 and 4 at least because any claim that depends from a nonobvious independent claim is also nonobvious. MPEP 2143.03.

Similar to claim 1, claim 5 recites a silicide layer having a boundary aligned to the edge of the blocking insulation layer and a boundary aligned to the edge of the sidewall

spacer. Thus, for the same reasons that were outlined above, the Sun/Pey combination fails to establish *prima facie* obviousness for claim 5, since the combination fails to teach all the features of the claim. MPEP 2143.03.

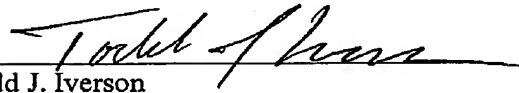
The Sun/Pey combination also fails to establish *prima facie* obviousness for claim 6 at least because any claim that depends from a nonobvious independent claim is also nonobvious. MPEP 2143.03.

### Conclusion

For the above reasons, reconsideration and allowance of claims 1-12 is requested. Please telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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